

AN ACT

relating to certain information to be provided by school districts to parents concerning supplemental educational services and to Texas Education Agency approval and investigation of supplemental educational services providers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 26, Education Code, is amended by adding Section 26.0082 to read as follows:

Sec. 26.0082. SUPPLEMENTAL EDUCATIONAL SERVICES. (a) In this section, "rigorous research" means research that includes:

(1) a study design that employs either a randomized controlled trial or a quasi-experimental design;

(2) an adequate measure of outcomes; and

(3) reliable and valid results.

(b) As part of the annual notice a school district provides to parents under 20 U.S.C. Section 6316(e)(2)(A) concerning supplemental educational services, the district shall include information provided to the district by the agency that:

(1) identifies characteristics of supplemental educational services that, based on rigorous research, have been demonstrated to be more likely to foster improvement in student academic performance, including information concerning the minimum number of hours of tutoring necessary for improved performance; and

(2) sorts, for each subject for which supplemental

1 educational services are provided, supplemental educational
2 services providers serving district students according to the
3 provider's level of effectiveness in improving student performance
4 in the applicable subject area.

5 (c) The agency shall develop and the commissioner by rule
6 shall establish a process for approving and revoking approval for a
7 supplemental educational services provider. The process must allow
8 the agency to use any publicly available information from any
9 published source in determining whether to approve an entity as a
10 provider, except that the agency may not use information that is
11 self-published or published by a provider for marketing purposes.

12 (d) The agency shall maintain a publicly available list of
13 approved providers. In accordance with standards established by
14 commissioner rule, the agency shall promptly investigate a
15 complaint against an approved provider and promptly remove from the
16 list of approved providers a provider for which agency approval has
17 been revoked.

18 (e) Not later than the fifth business day after the date on
19 which the agency removes a provider from the list of approved
20 providers, the agency shall send notice of the removal to each
21 appropriate school district. The district shall provide notice of
22 the removal to parents of appropriate students.

23 (f) A supplemental educational services provider for which
24 agency approval has been revoked because the agency determines that
25 the provider has engaged in fraudulent activity is permanently
26 prohibited from acting as a provider in this state.

27 SECTION 2. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 753 was passed by the House on April 11, 2013, by the following vote: Yeas 139, Nays 5, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 753 on May 22, 2013, by the following vote: Yeas 127, Nays 14, 4 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 753 was passed by the Senate, with amendments, on May 17, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor